

United States Government

NATIONAL LABOR RELATIONS BOARD 1099 14th STREET NW WASHINGTON DC 20570

June 17, 2013

Re: <u>Care One at Madison Avenue, LLC d/b/a Care One at Madison Avenue</u> Case 22-RC-072946

ORDER

The Employer filed a Motion to Vacate Decision and Direction of Second Election, arguing that decision is void *ab initio* because the Board does not have a valid quorum under *Noel Canning v. NLRB*, 705 F.3d 490 (D.C. Cir. 2013), pet. for cert. pending, No. 12-1281 (filed Apr. 25, 2013). For the reasons stated in *Bloomingdale's*, 359 NLRB No. 113 (2013), this argument is rejected. Accordingly, this motion is denied.

By direction of the Board:

Farah Z. Qureshi Associate Executive Secretary